

AMENDED IN SENATE JUNE 30, 2005

AMENDED IN SENATE MAY 18, 2005

AMENDED IN ASSEMBLY APRIL 18, 2005

AMENDED IN ASSEMBLY MARCH 29, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL

No. 591

Introduced by Assembly Member Yee Salinas

February 17, 2005

An act to ~~add Section 6535 to the Government Code, relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately.~~ *amend Section 4001 of the Elections Code, relating to all-mailed ballot elections.*

LEGISLATIVE COUNSEL'S DIGEST

AB 591, as amended, ~~Yee Salinas. Medi-Cal: local health authorities and commissions: joint powers agreements. Elections: Monterey County: all-mailed ballot elections.~~

Existing law provides that any election in Monterey County may be conducted as an all-mailed ballot election, subject to specified conditions. The statute providing for all-mailed ballot elections currently is scheduled to expire on December 31, 2005.

This bill would extend the expiration date to December 31, 2008.

~~Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Services and under which qualified low-income persons receive health care benefits.~~

~~Existing law provides for the establishment in a county of a health authority or commission to provide or contract for the provision of health care benefits to eligible persons. Existing law sets forth rules of~~

~~governance for each health authority or commission so established and makes it a public entity for certain purposes.~~

~~Existing law authorizes 2 or more public agencies, by agreement, to exercise any power common to the contracting parties.~~

~~This bill would require that any entity that is established pursuant to a joint powers agreement that is a health care service plan, where one party to the agreement is an entity established in a county to provide or contract for the provision of health care benefits to eligible persons, shall be subject to all of the same provisions, including, but not limited to, governance, public records requirements, open meeting requirements, and conflicts of interest as is the entity that is a party to the joint powers agreement, unless otherwise specified in the entity's joint powers agreement.~~

~~This bill would declare that it is to take effect immediately as an urgency statute.~~

Vote: $\frac{2}{3}$ majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 4001 of the Elections Code is amended
2 to read:

3 4001. (a) ~~Notwithstanding Sections 1502 and~~ Section 4000,
4 any election in Monterey County may be conducted as an
5 all-mailed ballot election, subject to all of the following
6 conditions:

7 (1) The governing body of the city, county, or district, by
8 resolution, authorizes the all-mailed ballot election and notifies
9 the Secretary of State of its intent to conduct an all-mailed ballot
10 election at least 88 days prior to the date of the election.

11 (2) The election does not occur on the same date as a statewide
12 primary or general election.

13 (3) The election is not a special election to fill a vacancy in a
14 state office, the State Legislature, or Congress.

15 (4) At least one polling place is provided in each city within
16 the jurisdiction.

17 (5) The return of voted mail ballots is subject to Section 3017.

18 (b) If the county conducts an all-mailed ballot election, on or
19 before December 31, ~~2005~~ 2008, the county shall report to the
20 Legislature and to the Secretary of State regarding the success of

1 the election, including, but not limited to, any statistics on the
2 increase of voter fraud.

3 (c) This section shall remain in effect only until December 31,
4 2005 2008, and as of that date is repealed, unless a later enacted
5 statute, that is enacted before December 31, 2005 2008, deletes
6 or extends that date.

7 SECTION 1. ~~Section 6535 is added to the Government Code,~~
8 ~~to read:~~

9 ~~6535. Any entity that is established pursuant to a joint powers~~
10 ~~agreement authorized under this article that is also a licensed~~
11 ~~health care service plan, when one of the parties to the joint~~
12 ~~powers agreement is an entity established pursuant to Section~~
13 ~~14018.7, 14087.31, 14087.35, 14087.36, 14087.38, or~~
14 ~~14087.9605 of the Welfare and Institutions Code, shall be subject~~
15 ~~to all of the same provisions, including, but not limited to,~~
16 ~~governance, public records requirements, open-meeting~~
17 ~~requirements, and conflicts of interest as is the entity established~~
18 ~~pursuant to Section 14018.7, 14087.31, 14087.35, 14087.36,~~
19 ~~14087.38, or 14087.9605 of Welfare and Institutions Code, as~~
20 ~~applicable, that is a party to the joint powers agreement, unless~~
21 ~~otherwise specified in the entity's joint powers agreement.~~

22 SEC. 2. ~~This act is an urgency statute necessary for the~~
23 ~~immediate preservation of the public peace, health, or safety~~
24 ~~within the meaning of Article IV of the Constitution and shall go~~
25 ~~into immediate effect. The facts constituting the necessity are:~~

26 ~~In order to ensure that county local initiatives contracting as~~
27 ~~Medi-Cal managed care plans establishing separate legal entities~~
28 ~~for their non-Medi-Cal business will be subject as soon as~~
29 ~~possible to the same requirements that apply to local initiatives, it~~
30 ~~is necessary that this act take effect immediately.~~